

5030
4/7/84

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
RE: FINAL DESIGNATION OF NAVY YARD PLAZA DEVELOPMENT
ASSOCIATES- 38 LIMITED PARTNERSHIP
CHARLESTOWN URBAN RENEWAL AREA
MASS. PROJECT NO. R-55; CHARLESTOWN NAVY YARD
BUILDING 38

WHEREAS, the Boston Redevelopment Authority, (hereinafter referred to as the "Authority"), has entered into a contract for loan and capital grant with the Federal Government under Title I of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified Project; and

WHEREAS, the Urban Renewal Plan for the Charlestown Urban Renewal Area, Project No. Mass. R-55, (hereinafter referred to as the "Project Area"), has been duly reviewed and approved in full compliance with local, State and Federal law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of Urban Renewal projects with Federal financial assistance under said Title I, including those prohibiting discrimination because of race, color, sex, religion or national origin; and

WHEREAS, NAVY YARD PLAZA DEVELOPMENT ASSOCIATES- 38 LIMITED PARTNERSHIP, has expressed an interest in and has submitted a satisfactory proposal for the development of Building 114 in the Charlestown Urban Renewal Area.

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That NAVY YARD PLAZA ASSOCIATES- 38 LIMITED PARTNERSHIP, be and hereby is finally designated and approved as successor entity as the Redeveloper of Building 38 in the Charlestown Navy Yard.
2. That it is hereby determined that NAVY YARD PLAZA ASSOCIATES- 38 LIMITED PARTNERSHIP, possesses the qualifications and financial resources necessary to acquire and develop the land in accordance with the Urban Renewal Plan for the Project Area.
3. That disposal of said Parcel by lease is the appropriate method of making the land available for redevelopment.

4. That it is hereby found and determined that the proposed development will not result in significant damage to or impairment of the environment and further, that all practical feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.
5. That the Director is hereby authorized for and in behalf of the Boston Redevelopment Authority to execute and deliver a lease for Building 38 to said NAVY YARD PLAZA ASSOCIATES-38 LIMITED PARTNERSHIP, and to execute additional documents as may be necessary to effectuate the development of the property.
6. That the Secretary is hereby authorized and directed to publish notice of the proposed disposal transaction in accordance with Section 105(E) of the Housing Act of 1949, as amended, including information with respect to the "Redevelopers's Statement for Public Disclosure" (Federal Form H-6004).



NAVY YARD
P L A Z A

March 16, 1988

Mr. James English
Charlestown Navy Yard
Project Coordinator
Parris Building #34
One First Avenue 2nd Fl.
Charlestown, Massachusetts 02129

Re: Building 38

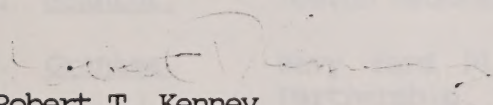
Dear Jim,

We hereby are requesting final designation for Building 38.
Enclosed are the following:

1. Disclosure Statement
2. Conditional Schematic Design Approval
3. 4 copies of the proposed BRA Lease similar in all respects to the Building 39 lease except for amount.

It will be several weeks before the final construction contract is signed because we are fast-tracking the project with a series of construction contracts. We have expended in excess of \$100,000 to date.

Yours very truly,


Robert T. Kenney
President

RTK/sjc
Enclosures



NAVY YARD
P L A Z A

March 15, 1988

Mr. James English
Project Coordinator
Harbor Planning & Development
Parris Building
One First Avenue 2nd Floor
Charlestown Navy Yard
Charlestown, Massachusetts 02129

Dear Jim:

The General Partner of the Navy Yard Plaza Development Associates-38 Limited Partnership, provide you with the following information:

Disclosure Statement
Required by Section 40J, Chapter 7 of the General Laws
(Chapter 579 of The Acts of 1980)

1. Location. Building 38, Charlestown Navy Yard
2. Grantor. Boston Redevelopment Authority
3. Grantee. Navy Yard Plaza Development Associates-38 Limited Partnership

Mr. James English
March 15, 1988
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I hereby state, under the penalties of perjury, that the true names and addresses of all persons who have a direct or indirect beneficial interest in the Limited Partnership are listed below in compliance with the provisions of Section 40J, Chapter 7 of the General Laws.

The development team includes the following:

LEGAL:	Bradley, Barry & Tarlow	Boston, MA
ACCOUNTING:	Brown & Brown	Boston, MA
COMMERCIAL BROKERS:	The Codman Company	Boston, MA
ARCHITECT:	The Architectural Team	Chelsea, MA
CONSTRUCTION:	George B.H. Macomber Construction Co., Inc.	Boston, MA
FINANCING:	Bank of Boston	Boston, MA

The individuals and entities who intend to have direct financial interest and their percentage interest in this project are as follows:

GENERAL PARTNERS	Years <u>1-5</u>	Years <u>6+</u>
Navy Yard Development Associates-II, Inc. 120 Fulton Street, Boston, MA 02109	1%	1%
Joseph T. Flaherty 41 Shelton Road, Quincy, MA 02169	5%	5%
Robert T. Kenney 120 Fulton Street, Boston, MA 02109	21.1%	21.1%
LIMITED PARTNERS-Class A Navy Yard Development Associates-II, Inc.	72.9%	48.9%
LIMITED PARTNER-Class B The First Charlestown Development Group, Inc. Charlestown, MA 02129	-	24%
	<u>100%</u>	<u>100%</u>

Mr. James English

March 15, 1988

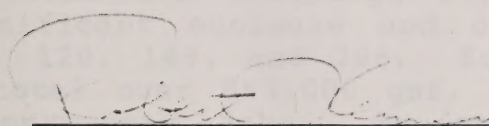
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The undersigned also acknowledges and states that none of the above individuals is an official elected to public office in the Commonwealth of Massachusetts nor is an employee of the Division of Capital Planning and Operations of the Commonwealth.

This statement is made by Navy Yard Plaza Development Associates-38 Limited Partnership and no partner thereof (or partner of any partner) shall be personally liable hereunder.

Signed under the penalties of perjury.

NAVY YARD PLAZA DEVELOPMENT ASSOCIATES-38
LIMITED PARTNERSHIP

BY: 

Robert T. Kenney for
Navy Yard Development Associates-II, Inc.,
General Partner

DATE: 3/15/88

RTK/sjc

MEMORANDUM

APRIL 7, 1988

Notes

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: JOHN R. LEIGH, ASSISTANT DIRECTOR
JAMES F. ENGLISH, DEPUTY DIRECTOR
HARBOR PLANNING AND DEVELOPMENT

SUBJECT: CHARLESTOWN NAVY YARD: BUILDING 38
FINAL DESIGNATION OF REDEVELOPER

SUMMARY: Memorandum requesting Final Designation and approval as successor entity to Navy Yard Plaza Development Associates- 38 Limited Partnership as redeveloper of Building 38 (the Cooper Building) in the Charlestown Navy Yard, and that the Director be further authorized to execute a Ground Lease and other documents pertinent to the completion of the project.

As you know, commercial space at the Navy Yard has continued to sustain the highly successful rate of redevelopment and occupancy that was first experienced over two years ago. This activity has included the Authority's granting of Final Designations for Buildings 33, 34, 39, 75 and 62, as well as significant sublease and occupancy in Buildings 33, 34, 36, 39, 120, 149, and 266. Sublet space in these buildings, which total over 863,000 gsf, is now at 82%, supporting over 2,831 permanent jobs. By early next year, an additional 181,000 g.s.f. of commercial space is expected to be completed (exclusive of Building 38) representing an additional 725 permanent jobs. At this time, it is requested that Navy Yard Plaza Development Associates-38 Limited Partnership be granted Final Designation for the completion of the Building 38 Improvements in the center of the Historic Monument Area (see map), in order to further increase the amount of rentable square footage and employment opportunities available in the Charlestown Navy Yard.

The redevelopment of Building 38 (The Cooper Building), represents one of the smaller, but more interesting architectural and functional buildings in the Navy Yard. The building, built in 1854 and designed by J.E. Billings, housed numerous former uses including a cooperage, jailhouse, officers' club, theatre, library, and bowling alley. The exterior design is of rough ashlar granite with finely hammered granite trim and a hipped roof, typical of the smaller structures within the Historic Monument Area. The developer has submitted a design, prepared by The Architectural Team, which retains the historic features and character of the structure, while effectively refitting the building for modern commercial use.

The proposed renovation includes a lobby and main entrance fronting the Second Avenue Pedestrian Mall, complete restoration of the historic cupola, and creation of a 25 foot-wide landscaped and paved public easement at the eastern edge of the building linking Second and Third Avenues. The project's design has been reviewed by the Authority's Engineering and Design staff, and has also been submitted to the National Park Service (United States Department of the Interior) for approvals related to consistency with the Historic Rehabilitation Guidelines. At completion, the project will offer 9,000 sf of ground floor retail space and 31,000 gsf of commercial office space on three floors.

Tentative Designation for the project was granted by the Authority to the First Charlestown Development Group on November 12, 1981. Since that time, First Charlestown has determined that it was in the best interest of the project to include other partners in the development team who have resources which the original corporation, on its own, were lacking. Hence, this new development entity was formed for the project, and is seeking approval as successor entity to the Charlestown Development Group. This entity consists of Navy Yard Development Associates-II, Inc., Joseph T. Flaherty, and Robert T. Kenney, General Partners, and Navy Yard Development Associates-II, Inc., and the First Charlestown Development Group, Inc., as Limited Partners. A Disclosure Statement detailing the principles involved and their interests in the project is attached for reference.

The developer, Navy Yard Plaza Associates-38 Limited Partnership, Robert T. Kenney, President, has already been approved as successor entity and completed the first three redevelopment projects within the Navy Yard Plaza complex (Buildings 33, 34, 39), with Building 38 being the final building to undergo improvement. The exemplary performance of the development team during construction and leasing of these first three projects, all ahead of schedule and under budget, and all commercial office space pre-leased, is a testament to the strength and stability of the development team, and a predication of the results to be expected with their redevelopment of Building 38. Financing for the project is being provided by the Bank of Boston, in the amount of \$4.0 million. The development team includes: The Architectural Team (Architects); Macomber Construction Co., Inc. (General Contractor); Bradley, Barry & Tarlow (Legal Counsel); and the Codman Company (Commercial Brokers).

The benefits generated by this project to the City and the Authority will be substantial. Upon completion, the project, which contains 40,000 g.s.f., will pay a base rent to the Authority of \$28,000, as well as approximately \$115,000 in annual Real Estate Taxes to the City of Boston. The developer will also pay an annual percentage rent of 15% of the net operating income from the project, as well as a common maintenance fee and common security fee. In addition, as this project is a part of the overall Navy Yard Plaza development of 215,000 s.f., this development will contribute proportionately to the development's overall linkage obligation to the Neighborhood Housing Trust. To this end, the developer submitted a Development Impact Project Plan, proposing linkage payments totalling \$692,250 to the Neighborhood Housing Trust, which was approved by the Authority on April 9, 1987.

For the reasons outlined above, it is recommended that Navy Yard Plaza Development Associates-38 Limited Partnership be granted Final Designation and approval as successor entity as redevelopers of Building 38 in the Charlestown Navy Yard, and that the Director be further authorized to execute a Ground Lease and other documents pertinent to the completion of the project.

An appropriate resolution is attached.

